

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

THOMAS JOHNSON

PLAINTIFF

V.

NO. 4:05CV250-P-D

MDOC, et al.

DEFENDANTS

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

The Plaintiff, an inmate, brings this complaint *pro se* pursuant to 42 U.S.C. § 1983. Plaintiff was afforded an evidentiary hearing where he was allowed to call witnesses and present evidence. Since that time, the Magistrate Judge has submitted a Report dated October 29, 2008, recommending the dismissal of two Defendants and judgment against another.

The Report was on that date duly served by mail upon Plaintiff and Defendants at their last known addresses; that more than ten days have elapsed since service of the Report and Recommendation; and that no objection to the Report and Recommendation has been served or filed by any party. The court is of the opinion that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court.

THEREFORE, it is hereby **ORDERED** that

(1) the Report and Recommendation (docket entry 57) is **APPROVED** and **ADOPTED** as the opinion of this court;

(2) **DEFAULT JUDGMENT** is entered against Defendant Adrienne Croft;

(3) **JUDGMENT** is entered in favor of Plaintiff against Defendant Croft in the amount of \$100.00, plus the costs of court;

(4) Defendant MDOC should **EXPUNGE** rule violation report number 635994 from the record of Thomas Johnson;

(5) Defendant Sturdivant and the claims against her are **DISMISSED** with prejudice; and

(6) this matter is **CLOSED**.

SO ORDERED, this the 27th day of January, 2009.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE